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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,604	07/12/2001	Brett A. Green	10010606-1	2599

7590 11/15/2005
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EXAMINER	
ROSWELL, MICHAEL	
ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/904,604	GREEN ET AL.	
	Examiner	Art Unit	
	Michael Roswell	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18, 20, 21 and 32-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18, 20, 21 and 32-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 7-18, 20-21, and 32-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Shachar (US Patent 5,926,736).

Regarding claim 1, Shachar teaches a dedicated purpose device (taught as the integrated telephone/terminal device of col. 7, lines 30-39 that has digital answering machine and fax services, at col. 13, lines 58-62), a touch sensitive menu screen provided on the dedicated purpose device, the menu screen being configured to present menu pages having one or more selectable menu items (col. 7, lines 30-39), and markup language documents stored on the dedicated purpose device that define the menu pages presented on the dedicated purpose device (taught as the use of hypertext documents for generating every display of the device, at col. 9, lines 18-26).

Regarding claim 2, Shachar teaches a virtual machine executing on the dedicated purpose device to interpret and execute script code associated with a selected menu item, taught as the execution of programs or scripts associated with hypertext documents by an internal server, at col. 13, lines 42-62.

Regarding claim 3, Shachar teaches the script code being configured to initiate a function of the dedicated purpose device, taught as the initiation of digital answering machine or fax services, at col. 13, lines 55-62.

Regarding claim 4, Shachar teaches the script code being configured to alter text displayed on a menu page and reconfigure internal settings of the device corresponding to the altered text, taught as the use of hypertext documents for generating every display of the device, and associated with essential operations such as internal settings and setup, at col. 9, lines 18-34.

Regarding claim 5, Shachar teaches the script code being configured to update the touch sensitive menu screen with a new menu page and reconfigure internal settings of the device corresponding to the new menu page, taught as the use of hypertext documents for generating every display of the device, and associated with essential operations such as internal settings and setup, at col. 9, lines 18-34.

Regarding claim 7, Shachar teaches a local server module configured to serve a markup language document to the touch sensitive menu screen, at col. 13, lines 42-54.

Regarding claim 8, Shachar teaches the local server module being further configured to serve a markup language document to a remote computer, at col. 13, lines 42-54.

Regarding claim 9, Shachar teaches the integrated telephone/terminal device being a facsimile machine and a multifunction peripheral device, at col. 13, lines 58-62.

Regarding claim 10, Shachar teaches a selectable menu item being defined by a markup language document and comprises a graphical key with a textual label, taught as the use of hypertext buttons, at col. 11, lines 23-31.

Regarding claim 11, Shachar teaches the menu pages identifying and permitting access to operable functions of the device, taught as the accessing of functions through selection of hypertext links, at col. 9, lines 26-57.

Regarding claim 12, Shachar teaches menu pages being reconfigurable to identify and permit access to upgraded an additional operable functions of the device, taught as the generation of appropriately formatted displays by way of information contained in any hypertext document, at col. 9, lines 6-10, and performing any actions called for by the linked markup elements of the hypertext document, at col. 9, lines 45-50.

Regarding claim 13, Shachar teaches a dedicated purpose device (taught as the integrated telephone/terminal device of col. 7, lines 30-39 that has digital answering machine and fax services, at col. 13, lines 58-62), serving a markup language document for display as a menu page on the touch sensitive menu screen of the dedicated purpose device, the menu page having selectable menu items (taught as the display of a graphical user interface for the device in accordance with markup elements of a hypertext document, at col. 7, lines 30-36), and executing script code associated with a selected menu item (taught as the execution of programs and scripts related to a selected hypertext element, at col. 13, lines 42-62).

Regarding claim 14, Shachar teaches updating text displayed on a menu page in response to executing script code, at col. 13, lines 42-62.

Regarding claim 15, Shachar teaches serving a new markup language document to the touch sensitive menu screen for display as a refreshed menu page in response to executing script code, at col. 13, lines 42-62.

Regarding claim 16, Shachar teaches initiating a function of the dedicated purpose device in response to executing script code, at col. 13, lines 42-62.

Regarding claim 17, Shachar teaches upgrading the dedicated purpose device with a new function, and serving a markup language document for display as an upgraded menu page on the touch sensitive menu screen, the upgraded menu page having selectable menu items that correspond to the function, taught as the generation of appropriately formatted displays by way of information contained in any hypertext document, at col. 9, lines 6-10, and performing any actions called for by the linked markup elements of the hypertext document, at col. 9, lines 45-50.

Regarding claim 18, Shachar teaches a computer coupled to a dedicated purpose device (taught as the integrated telephone/terminal device of col. 7, lines 30-39 that has digital answering machine and fax services, at col. 13, lines 58-62), receiving a markup language document from the dedicated purpose device, displaying the markup language document as a menu page of the dedicated purpose device by interpreting the markup language document with a browser application of the computer (taught as the display of hypertext documents through

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browser applications, at col. 9, lines 1-17), activating a menu on a menu page, and receiving an updated markup language from the dedicated purpose device in response to such activating (see col. 9, lines 41-57 and col. 13, lines 42-62).

Regarding claim 20, Shachar teaches selecting a menu item with an input device of the computer, taught as the use of a touch sensitive screen, at col. 7, lines 30-39.

Regarding claim 21, Shachar teaches activating a menu item initiating a function of the dedicated purpose device, taught as the initiation of digital answering machine or fax services, at col. 13, lines 55-62.

Regarding claim 32, Shachar teaches a dedicated purpose device (taught as the integrated telephone/terminal device of col. 7, lines 30-39 that has digital answering machine and fax services, at col. 13, lines 58-62), serving a markup language document for display as a menu page on the touch sensitive menu screen of the dedicated purpose device, the menu page having selectable menu items (taught as the display of a graphical user interface for the device in accordance with markup elements of a hypertext document, at col. 7, lines 30-36), receiving an event indicator associated with a selected menu item (taught as the accessing and displaying of data associated with a selected hyperlink, at col. 9, lines 46-52), and executing script code associated with a selected menu item (taught as the execution of programs and scripts related to a selected hypertext element, at col. 13, lines 42-62).

Regarding claim 33, Shachar teaches altering text associated with the selectable menu items, taught as the accessing and displaying of data associated with a selected hyperlink, at col. 9, lines 46-52.

Regarding claim 34, Shachar teaches serving a new markup language document for display as a refreshed menu page on the touch sensitive menu screen, taught as the use of hypertext documents for generating every display of the device, at col. 9, lines 18-34.

Regarding claim, 35, Shachar teaches initiating a function of the dedicated purpose device, taught as the initiation of digital answering machine or fax services, at col. 13, lines 55-62.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shachar and Yan et al (US Patent 6,003,065), hereinafter Yan.

Shachar teaches a virtual machine executing on the dedicated purpose device to interpret and execute script code associated with a selected menu item, taught as the execution of programs or scripts associated with hypertext documents by an internal server, at col. 13, lines 42-62.

However, Shachar fails to explicitly teach script code being JavaScript code and the virtual machine is a java virtual machine.

Yan teaches a method for sending and receiving information through dedicated purpose devices, similar to that of Shachar. Furthermore Yan teaches a dedicated purpose device executing JavaScript code and a virtual machine being a java virtual machine, at col. 19, lines 23-53.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Shachar and Yan before him at the time the invention was made to modify the virtual machine of Shachar to be a java virtual machine executing JavaScript.

One would be motivated to make such a combination as JavaScript is a widely used and well known programming language, and the java virtual machine enables the executing of java applets that can add functionality to computer systems.

Response to Arguments

Applicant's arguments with respect to claims 1-18, 20-21, and 32-35 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


Please note that the Examiner of record has changed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is (571) 272-4055. The examiner can normally be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeza can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Roswell
11/9/2005



CAO (KEVIN) NGUYEN
PRIMARY EXAMINER